

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

**THERESA BAKER, AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
RICHARD CHARLES WOLFE,**

PLAINTIFF,

vs.

AMERICAN GREETINGS CORP.,

DEFENDANT.

Case No. 1:12-cv-00065 BYP

Class Action

Jury demanded

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

**KEVIN COLLIER, AS THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF
RUTHIE COLLIER,**

PLAINTIFF,

vs.

AMERICAN GREETINGS CORP.,

DEFENDANT.

Case No. 1:12-cv-01760-BYP

Jury demanded

**JOINT MOTION FOR
FINAL APPROVAL OF SETTLEMENT AGREEMENT**

American Greetings Corp., the Defendant, along with Plaintiffs Theresa Baker, as the representative of the Estate of Richard Charles Wolfe, and Kevin Collier, as the representative of the Estate of Ruthie Collier, jointly move for final approval of a class action settlement. The parties make this joint motion only to implement their settlement and the settlement shall have

no force or effect, nor shall the parties' request for certification of a class, if the settlement is not approved.

For the purpose of implementing the settlement, the parties jointly ask this Court to:

- a. Give final approval to the settlement as fair and reasonable;
- b. certify the settlement class;
- c. appoint the Plaintiffs as Class Representatives;
- d. appoint the Plaintiffs' attorneys as Class Counsel;
- e. approve Rust Consulting as the settlement administrator and approve its fee; and
- f. approve the use and distribution of the claim form attached as **Exhibit 3**.

In addition, the Plaintiffs and their Counsel ask the Court to:

- g. give final approval to the award attorneys' fees to the Plaintiffs' Counsel; and
- h. give final approval to the compensatory awards to the Plaintiffs.

Respectfully submitted,

MURRAY AND MURRAY CO., L.P.A.

Dennis E. Murray, Jr. (0038509)
dmj@murrayandmurray.com
(419) 624-3126
Margaret M. Murray (0066633)
mmm@murrayandmurray.com
(419) 624-3128
111 East Shoreline Drive
Sandusky, Ohio 44870-2517
Facsimile: (419) 624-0707

MCCLANAHAN • MYERS • ESPEY, L.L.P.

By: /s/ Michael D. Myers
Michael D. Myers (*Pro Hac Vice*)
mike@mmellp.com
(713) 223-7063
Robert H. Espey, II (*Pro Hac Vice*)
bob@mmellp.com
(713) 223-7072
3355 West Alabama, Suite 210
Houston, Texas 77098
Facsimile: (713) 223-3664

**TAYLOR, BURRAGE, FOSTER, MALLETT,
DOWNS & RAMSEY**

Sean Burrage (*Pro Hac Vice*)
SBurrage@soonerlaw.com
(918) 343-4100
400 West Fourth Street
P.O. Box 309
Claremore, Oklahoma 74018
Facsimile: (918) 343-4900

ATTORNEYS FOR THE PLAINTIFF

JONES DAY

s/Tracy K. Stratford

James R. Wooley (0033850)

E-mail: jrwooley@jonesday.com

Stanley Weiner (0083382)

E-mail: sweiner@jonesday.com

Tracy K. Stratford (0069457)

E-mail: tkstratford@jonesday.com

Bradley W. Harrison (0080847)

E-mail: bwharrison@jonesday.com

North Point

901 Lakeside Avenue

Cleveland, OH 44114-1190

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

**ATTORNEYS FOR AMERICAN GREETINGS
CORP.**

CERTIFICATE OF SERVICE

I certify that on September 16, 2013, a copy of the joint motion for final approval of the settlement and memorandum in support was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

By: /s/ Michael D. Myers
Michael D. Myers